

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

IN RE PHARMACEUTICAL INDUSTRY)	MDL NO. 1456
AVERAGE WHOLESALE PRICE)	CIVIL ACTION NO.
LITIGATION)	01-12257-PBS
)	
THIS DOCUMENT RELATES TO:)	
ALL ACTIONS)	
)	

CASE MANAGEMENT NO. 11

April 8, 2004

Saris, U.S.D.J.

Defendants have moved for clarification of Case Management Order No. 10, Part IX. I clarify that CMO 10 is applicable to the actions brought by governmental plaintiffs to the extent the defendants are common to the AMCC. I modify the order to exclude the thirteen county defendants ("the thirteen who want out") until I rule on the motions to dismiss. My goal is to coordinate document production and depositions on issues common to all actions to the extent feasible.

When I rule on the motions to dismiss, I will issue a separate case management order in the state/county cases. For example, I may well decide to separate deadlines for fact discovery and a different briefing schedule.

S/PATTI B. SARIS

United States District Judge